

CARLOS HERNANDEZ §
v. § CIVIL ACTION NO. 5:08cv160
WARDEN DAVID HUDSON, ET AL. §

The Relator Carlos Hernandez, proceeding *pro se*, filed this petition for the writ of mandamus under 28 U.S.C. §§1361 and 1651 asking that the Court issue a writ of mandamus against David Hudson, the Warden of the Telford Unit. This Court ordered that the case be referred to the United States Magistrate Judge pursuant to 28 U.S.C. §636(b)(1) and (3) and the Amended Order for the Adoption of Local Rules for the Assignment of Duties to United States Magistrate Judges.

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The Court has reviewed the pleadings in this case and the Report of the Magistrate Judge. Upon such review, the Court has concluded that the Report of the Magistrate Judge is correct. It is accordingly

ORDERED that the Report of the Magistrate Judge is hereby ADOPTED as the opinion of the District Court. It is further

ORDERED that the Relator's application for the writ of mandamus be and hereby is DISMISSED with prejudice as frivolous. It is further

ORDERED that the Relator's motion to consolidate this civil action with cause no. 5:08cv161, styled Perez v. Hudson, is DENIED. Finally, it is

ORDERED that any and all other motions which may be pending in this cause are hereby DENIED.

SIGNED this 20th day of April, 2009.

A handwritten signature in black ink, appearing to read "David Folsom", written over a horizontal line.

DAVID FOLSOM
UNITED STATES DISTRICT JUDGE